THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

W.P.No.14172 of 2007

Dated 05-07-2007

Between:

A. Veerabrahma Chary

…Petitioner

And

Principal Chief Conservator of Forest,
and others

…Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

W.P.No.14172 of 2007

ORDER:

The petitioner was granted a licence to establish a Saw Mill at Chigurumamidi Village, in the year 1976. It was run for some time,

and thereafter, he could not continue, due to domestic problems. It was only on 05-03-1997, that the petitioner made a representation to the 2nd respondent, to regularize the period,
for which the licence was not renewed, and to accord fresh renewal. The application was processed, and relevant reports were called for. The 2nd respondent passed orders dated 26-12-2006, stating that the lincece had already lapsed as per the A.P. Saw Mills (Regulation) Rules, 1969 (for short '*the Rules*'), and in view of the directions issued by the Supreme Court in W.P.202 of 1995, dated 16-11-2002, fresh licences cannot be granted. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and learned Government Pleader for Forest.

Admittedly, the saw mill was not run beyond 1984. Further, there is nothing on record to disclose that the petitioner had paid the renewal fee, within the time stipulated under the Rules.

The 2nd respondent had undertaken extensive verification, and recorded a finding to the effect that no application was filed for renewal. The petitioner came forward with a representation, after a lapse of 11 years. The question of renewing the licence, at that length of time, does not arise. By operation of the Rules, the licence lapsed.

The only alternative for the petitioner is to apply for fresh licence. In the matter of grant of fresh licences, the Hon'ble Supreme Court placed certain restrictions, vide its order dated
16-11-2002, in W.P.No.202 of 1995. A committee is constituted for examination of such applications. If the case of the petitioner comes within the parameters stipulated by the Supreme Court, there is no reason why he cannot be extended the benefit of the same.

For the foregoing reasons, the writ petition is disposed of, directing that, it shall be open to the petitioner to make application to the respondents for grant of a fresh licence, to establish saw mill, and as and when it is received, it shall be placed before the Committee, constituted by the Hon'ble Supreme Court, to process the applications.

There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.05-07-2007

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